

REGULAR MEETING of the Burrillville Town Council held Wednesday, May 23, 2012 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main Street, Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: None

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED that the question of accepting the minutes of the regular meeting held May 9, 2012 be continued to a future meeting.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley announced the Friends of the Library Father's Day Barbeque Bonanza Raffle.

Councilor Margaret L. Dudley announced the Friends of the Library annual membership drive.

Councilor Kevin D. Heitke announced the Veteran's Day Memorial scheduled for Monday, May 28, 2012 at Freedom Park.

Councilor Edward J. Blanchard recognized residents Peter and Tracy Samek for their assistance to the staff and youth subsequent to a recent fire.

Councilor Wallace F. Lees encouraged attendance at the June 10, 2012 Fire Fighters Annual Parade, to be hosted by the Harrisville Fire Department with participation of other local fire departments including Nasonville, Oakland/Mapleville and Pascoag. The parade begins at 1:00 P.M. at the Burrillville High School.

Michael C. Wood, Town Manager, commented on Police Officers' Memorial Day, recognizing all public safety officials. Mr. Wood commented on the Memorial Ceremony held at the Burrillville Police Department.

Council President Nancy F. Binns discussed the farmers' market

pavilion project.

5. Petitions: None

6. Special Business:

12-143 VOTED to adopt citations recognizing the 2012 recipients of the Burrillville High School Academic Excellence in Rhode Island and Burrillville History awards.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: Burrillville High School students Anna C. Dumais and Ian J. Goulet were recognized for academic excellence in Rhode Island and Burrillville History.

12-144 VOTED to grant a special event victualing license and a Class F liquor license to Jonathan Such, Nasonville Fire Department, to apply at the Fire Fight to Help Joe Bourquin Jr. on June 2, 2012 at Nasonville Fire Department, 2577 Victory Highway, on property owned by the Nasonville Fire Department (Assessor's Map 114, Lot 32).

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

7. 7-7-7Public Hearing:

12-117 Relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 22 entitled Solid Waste, Article II, Recycling.

NOTES: Notice of the Public Hearing was duly advertised in the Legal Section of the Woonsocket Call on May 18, 2012.

A. Comments/Input/Recommendations by the Administration

Michael C. Wood, Town Manager, noted that the public hearing was being repeated due to a problem with the original notice.

B. Comments/Input/Recommendations of the Ordinance Subcommittee

Councilor Margaret L. Dudley noted that the ordinance subcommittee had reviewed the proposed changes, recognized the need to amend the ordinance to accommodate automated collection, and

recommended passage.

C. The hearing of all interested parties in regard to proposed amendments. Note: Persons who wish to address the Town Council shall state their names and addresses.

(1) Proponents: None

(2) Opponents: None

D. VOTED to close the public hearing.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

E. Town Council Members Comments/Input/Deliberation: None

F. VOTED to confirm the May 9, 2012 vote that the Town Council of the Town of Burrillville hereby ordains as follows: The revised general ordinances, Town of Burrillville, RI, 2004, Chapter 22 entitled Solid Waste, Article II, Recycling, is hereby repealed in its entirety and replaced by the attached Article II, Solid Waste and Recyclable Materials.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Kevin D. Heitke. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place voted in opposition.

G. VOTED to adjourn the public hearing.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

8. Unfinished Business: None

9. New Business:

12-145 VOTED to open the discussion relative to the FYE2011 Comprehensive Annual Financial Report.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees,

Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Note: A complete copy of the FY2011 Comprehensive Annual Financial Report is on file with the record of the meeting.

Discussion: Donna T. Caccia and Mark V. Caccia of Caccia, Cayer, LLP were present to discuss the FYE 2011 Comprehensive Annual Financial Report. Ms. Caccia noted that the auditors had met with the Audit Committee and discussed the CAFR in detail.

Donna T. Caccia reviewed:

- Communication with Those Charged with Governance Under Statement on Auditing Standards #114**
- Letter of Transmittal**
- Management's Discussion and Analysis**
- Auditor's opinion**
- Overview of the financial statements**

Mark V. Caccia reviewed the details of the management letter, commenting on the financial strength of the Town.

Councilor Margaret L. Dudley commented on observations relative to the reconciliation process and recommended hiring a reconciliation clerk. The matter was discussed. It was reported that the issue should be resolved in the FY2012 CAFR.

Councilor Kevin D. Heitke asked about the reported increase in net assets. The question would be researched and an answer provided at a future date.

VOTED to receive and file.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Note: The Council thanked the auditors for their work on the FY2011 CAFR.

12-146 Consider and act on recommendations by John P. Mainville, Finance Director, regarding transfers:

VOTED that the following reserve and project funds be increased via a transfer from the Town's unreserved, undesignated general fund balance:

OPEB (Other Post Employment Benefits) \$150,000

Unfunded liability (Vacation/Sick Incentive) 135,000

Total \$285,000

Note: The transfer of these funds requires the affirmative vote of six (6) council members due to the appropriation of funds from the unreserved, undesignated general fund balance [Town Charter 3.14(j)].

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED that the balance of the funds associated with the Daniele Foods land sale (\$558,926.99) be transferred to the debt reduction fund (fund 3880)

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-147 Correspondence from Rachel Seddon, Matthew Dunn and family regarding adoption of the island at Shea Lane in memory of Linda Toupin.

VOTED to acknowledge the efforts of Ms. Seddon and Mr. Dunn and

family to beautify the island at Shea Lane in memory of Linda Toupin.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-148 Consider and act on recommendations by John P. Mainville, Finance Director, regarding the awarding of bids.

A) VOTED to award the bid for a 41,000 lb dump truck with in-body sander to Altrui Bros for a total amount of \$138,592.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

B) VOTED to award the bid for a 23,000 lb landscape dump truck to Coastal International Trucks for a total amount of \$95,685.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke,

David J. Place and Stephen N. Rawson.

C) VOTED to award the bid for a Ford F350 truck to Interstate Ford for a total amount of \$40,855

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Note: funding for this contract comes from the town's annual operating budget.

12-149 VOTED to refer to the Screening Subcommittee applications from Alan Chuman for reappointment to the Jesse M. Smith Memorial Library Board of Directors and from Dawn Williams for appointment to the Burrillville Extended Care Division Board of Directors.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-150 VOTED to open the correspondence from Dr. Frank Pallotta

regarding a building use request from Eoin Walsh from 20th Century Fox.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED to grant.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-151 VOTED to open the correspondence from Council President Nancy F. Binns regarding the Town Council's 2012 Summer Schedule.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED to have one meeting in July, August and September, having a meeting on the fourth Wednesday of each month.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-152 VOTED to support the East Greenwich Town Council proclamation recognizing the commitment of the Rhode Island Brain & Spine Tumor Foundation and proclaiming the month of May 2012 as Brain Tumor Awareness Month.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-153 VOTED to receive and file the East Greenwich Town Council resolution requesting enactment of 2012 – S 2928, An Act Relating to Taxation – Taxation of Farm, Forest and Open Space.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor

David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

10. Town Clerk/Communication:

12-154 VOTED to receive and file, with thanks, the correspondence from Dana J. Gould and Andrea Hall, Co-Chair of the Burrillville Lions Earth Day Committee extending thanks for support of the 2012 Earth Day events.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-155 VOTED to open the correspondence from DEM regarding the Burrillville Waste Water Treatment Facility Evaluation Inspection, March 2012.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke,

David J. Place and Stephen N. Rawson.

MOTION to send a note to the Waste Water Treatment Facility on this fine report; and to receive and file.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard.

AMENDMENT TO THE MOTION: to send a resolution to the Waste Water Treatment Facility on this fine report; and to receive and file.

Amended motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-156 VOTED to open the Public Notice from DEM relative to application No. OCTA 12-003 from the Rhode Island Department of Transportation requesting permission to alter freshwater wetlands on the state right-of-way, RI State Highway Plat 748 for a recreational skate park that will be open for use by the residents of Burrillville.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees,

Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED to receive and file.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

11. VOTED that reports #1 – 26 be received, as follows:

- 1. Town Treasurer: Report of April 2012**
- 2. Burrillville Sewer Commission: Meeting of April 10, 2012 and report of April 2012**
- 3. Tax Collector: No report**
- 4. Department of Public Works: Reports of March and April 2012**
- 5. Chief of Police: No Report**
- 6. Office of Building Official: Report of April 2012**
- 7. Animal Control Officer: Report of April 2012**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of May 2, 2012**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of May 2012**
- 12. Burrillville Housing Authority: Meeting of April 11, 2012**

- 13. Planning Board/Town Planner: No report**
- 14. Recreation Commission: No report**
- 15. Burrillville Conservation Commission: Meeting of March 13, 2012**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meetings of February 28 and March 27, 2012**
- 18. B-PAC: No report**
- 19. Personnel Board: Meeting of April 10, 2012**
- 20. Screening Subcommittee: Meeting of March 20, 2012**
- 21. Budget Board: No report**
- 22. Burrillville School Committee: No report**
- 23. Rubbish & Recycling Committee: No report**
- 24. Cemetery Maintenance Committee: No report**
- 25. Board of Canvassers: Meetings of April 3 and May 1, 2012**
- 26. Juvenile Hearing Board: No report**

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12. Additional New Business:

12-157 VOTED to grant the requests for executive session from Town Manager Michael C. Wood and Town Solicitor Timothy F. Kane

pursuant to Rhode Island Open Meeting Law: [§42-46-5(a)(5)] for review, discussion and considerations related to the acquisition, sale or exchange of real property (Map 39, Lot 122, Rocchio) and [§42-46-5(a)(2)] discussion and action relative to litigation relative to Piette v Town of Burrillville.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

The Town Council returned to open session at 8:12 P.M.

VOTED to seal the minutes of executive session, noting that no votes had been taken.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

13. VOTED to adjourn 8:12 P.M.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor

Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk